

REMARKS/ARGUMENTS

The Non-final office action of August 1, 2005 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1, 9, 10, 12, 22-24, and 26 have been amended. Claims 25 and 27 have been canceled. New claims 28-38 have been added. Support for the claim amendments can be found throughout the specification and especially at page 7, lines 15-21. No new matter has been added. Claims 1-24, 26, and 28-38 are pending.

Claims 23 and 24 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Solely to expedite prosecution, claims 23 and 24 have been amended. The rejection should be withdrawn.

Claims 1-4, 7, 12-15, 17, 23, 24 and 26 were rejected under 35 U.S.C. 102(b) as being anticipated by Macrae (WO 98/17064). This rejection is respectfully traversed.

Claim 1, as amended, recites that the link information providing means is operable to override a predetermined display preference in response to detection of a code identifying the link information, wherein the predetermined display preference is a preference not to display the information service. Claims 12 and 23, as amended, recite that the step of providing link information includes overriding a predetermined display preference in response to detection of a code identifying the link information, wherein the predetermined display preference is a preference not to display the information service. Claim 26, as amended, recites overriding a predetermined display preference in response to detection of a code identifying the link information, wherein the predetermined display preference is a preference not to display the information service. Macrae fails to teach or suggest these features.

“A claim is anticipated only if each and every element is set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). In the present case, Macrae fails to teach or suggest each and every element in claims 1, 12, 23, or 26, as amended. Therefore, the rejection should be withdrawn.

Claims 2-4, 7, 13-15, 17, and 24 depend from claim 1, 12, 23 or 26 and are therefore allowable for at least the reasons set forth above for claims 1, 12, 23, or 26.

Claims 10, 11, 18, and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Macrae. This rejection is respectfully traversed.

Claims 10 and 11 depend from claim 1. Claims 18 and 19 depend from claim 12. To establish *prima facie* obviousness of a claimed invention, all the claim features must be taught or suggest by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). As set forth above, Macrae fails to teach or suggest all of the claim features as recited in claims 1 or 12, as amended. Therefore, claims 10, 11, 18 and 19 are allowable for at least the reasons set forth above for claims 1 or 12.

Claims 5, 6, 8, 16, 20, 21, 25, and 27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Macrae in view of Bendinelli (U.S. Patent No. 6,6061,719). This rejection is respectfully traversed.

Claims 5, 6, and 8 depend from claim 1. Claims 16, 20 and 21 depend from claim 12. Claims 25 and 27 have been canceled. As set forth above Macrae fails to teach or suggest claims 1 and 12. Bendinelli fails to cure the deficits of Macrae. Bendinelli and Macrae, either alone or in combination fail to teach or suggest, for example, the link information providing means operable to override a predetermined display preference in response to detection of a code identifying the link information, wherein the predetermined display preference is a preference not to display the information service, as recited in claim 1, as amended. Also, Bendinelli and Macrae, either alone or in combination fail to teach or suggest, for example, the step of providing link information including overriding a predetermined display preference in response to detection of a code identifying the link information, wherein the predetermined display preference is a preference not to display the information service, as recited in claim 1, as amended. Therefore, the rejection should be withdrawn.

Claims 9 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Macrae in view of Bendinelli and further in view of Lajoie (U.S. Patent No. 5,850,218). This rejection is respectfully traversed.

Claim 9 depends from claim 1. Claim 22 depends from claim 12. As set forth above Macrae and Bendinelli, either alone or in combination, fail to teach or suggest claims 1 and 12. Lajoie fails to cure the deficits of Macrae and Bendinelli. The combination of Macrae, Bendinelli, and Lajoie fails to teach or suggest, for example, the link information providing means operable to override a predetermined display preference in response to detection of a code identifying the link information, wherein the predetermined display preference is a preference not to display the information service, as recited in claim 1, as amended. Also, the proposed combination fails to teach or suggest, for example, the step of providing link information including overriding a predetermined display preference in response to detection of a code identifying the link information, wherein the predetermined display preference is a preference not to display the information service as recited in claim 12, as amended. Therefore, the rejection should be withdrawn.

New claims 28-33 are believed to be allowable over the cited art. Claims 28-32 depend from claim 1 which is allowable for at least the reasons set forth above. Claims 33-38 recite, for example, scanning data received from the television program service for link information. The cited art fails to teach or suggest this feature.

Appln. No.: 09/882,702
Amendment dated November 29, 2005
Reply to Office Action of August 1, 2005

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

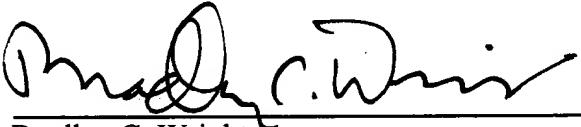
All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: November 29, 2005

By:



Bradley C. Wright
Registration No. 38,061

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001